

D. Mullikin, the former trustee, and Baruch Mullikin and Regnal Mullikin his sureties, and Benjamin H. Mullikin, and Margaret Mullikin, who died after the passage of that order and after having been married to Nicholas Woodward, be and the same is hereby rescinded and annulled.

On the 5th of May, 1828, the trustee Alexander also represented, that the purchaser Anderson and his surety Benjamin H. Mullikin had not paid the purchase money; upon which by an order of the 7th of the same month, they were ordered to bring in the balance due, or shew cause. And they having failed to bring in the money, the matter was submitted for the judgment of the Court upon the cause shewn.

BLAND, C., 25th June, 1828.—The petition and representation of the trustee, together with the answer thereto of Edward E. Anderson and Benjamin H. Mullikin, having been submitted, the same, with the proceedings to which they relate, were read and considered.

It appears, that the whole amount of the purchase money for the tract of land heretofore sold as mentioned in the said representation has not been paid, and that for the amount still due the equitable lien held by this Court yet subsists in full force and unimpaired.

Whereupon it is decreed, that the trustee Thomas S. Alexander proceed to make sale of the land, heretofore sold to the said Edward E. Anderson, for the payment of the balance of the purchase * money due thereon; that the sale be at his risk; and the terms thereof be for ready money payable on the day of its **542** ratification. In all other particulars the trustee is directed to conform to the decree, according to which and the subsequent orders he has given bond for the faithful discharge of the trust reposed in him.

From this decree Anderson appealed, and filed a bond which was approved on the 29th of January, 1829, but the appeal was some time after abandoned.

On the 4th of November, 1828, Daniel Kent filed his petition, in which he states, that by a deed bearing date on the 5th of May, 1825, the heir Basil D. Mullikin conveyed his interest in the estate of the intestate to the heir Baruch Mullikin; and that by a deed bearing date on the 18th of July, 1827, the heir Regnal Mullikin conveyed his interest in the intestate's estate to the heir Baruch Mullikin, who having thus, by assignment and descent become entitled to three-tenths of the intestate's estate, by a deed bearing date on the first day of May, 1828, assigned the same to the petitioner; and that he, this petitioner, is a *bona fide* purchaser for a